



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93^d CONGRESS, FIRST SESSION

SENATE—Wednesday, January 3, 1973

The third of January being the day prescribed by the Constitution of the United States for the annual meeting of the Congress the first session of the 93d Congress, commenced this day.

The Senate assembled in its Chamber at the Capitol.

The Senate was called to order by the Vice President.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God of our fathers and our God, who has watched over us from generation to generation, in prosperity and adversity, in peace and in war, we thank Thee for this new year with its new horizons, fresh challenges, and high duties.

Into Thy hands we commit the Government of this Nation.

May the solemn induction of some Members of this body become the renewal of vows for all. Join us in heart, mind, and soul to concert our best efforts for the common good. Make us new men for new times.

Keep us, O God, so dedicated to Thee and so completely under Thy rulership that we may do justly, love mercy, and walk humbly with Thee all our days.

Through Jesus Christ, our Lord. Amen.

CREDENTIALS—RESIGNATIONS AND APPOINTMENTS

The VICE PRESIDENT. The Chair lays before the Senate the letters of resignation of Senator Edwards of Louisiana, together with the certificate of appointment of Mr. J. BENNETT JOHNSTON, Jr., of Louisiana, which the clerk will read.

The legislative clerk read as follows:

NOVEMBER 13, 1972.

HON. EDWIN W. EDWARDS,
Governor of Louisiana,
Baton Rouge, La.

DEAR GOVERNOR EDWARDS: I hereby tender my resignation as a member of the United States Senate from Louisiana, to become effective at the close of business on Monday, November 13, 1972.

Sincerely,

ELAINE S. EDWARDS.

U.S. SENATE,

Washington, D.C., November 13, 1972.

HON. SPIRO T. AGNEW,
Vice President of the United States,
Washington, D.C.

MY DEAR MR. VICE PRESIDENT: I hereby tender my resignation as a member of the

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United States Senate from Louisiana, to become effective at the close of business on Monday, November 13, 1972.

Sincerely yours,

ELAINE S. EDWARDS,
U.S. Senator.

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT,

Baton Rouge, November 14, 1972.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES AND THE SECRETARY OF THE SENATE OF THE UNITED STATES:

SIRS: Under and by virtue of the authority vested in me by the Constitution of the United States, particularly Amendment XVII thereof, and Section 1414 of Title 18 of the Louisiana Revised Statutes of 1950, I do hereby appoint J. BENNETT JOHNSTON, Jr., as Senator from the State of Louisiana to fill the vacancy caused by the resignation of the Honorable ELAINE S. EDWARDS as Senator from the State of Louisiana.

Witness: His Excellency, our Governor, Edwin W. Edwards, and our Seal hereto affixed at Baton Rouge, Louisiana, this 14th day of November, in the year of Our Lord, nineteen hundred and seventy-two.

EDWIN EDWARDS,
Governor.

By the Governor:

WADE O. MARTIN, JR.,
Secretary of State.

The VICE PRESIDENT. The Chair lays before the Senate the credentials of SAM NUNN, duly chosen a Senator by the qualified electors of the State of Georgia on November 7, 1972, caused by the death of Hon. Richard Brevard Russell, which without objection is ordered to be placed on file. The clerk will read the certificate of election.

The legislative clerk read as follows:

CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Honorable Sam Nunn was duly chosen by the qualified electors of the State of Georgia a Senator for the unexpired term ending at noon on the 3rd day of January, 1973, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of Honorable Richard Brevard Russell.

Witness: His Excellency our Governor, and our Seal hereto affixed at the State Capitol in Atlanta, Georgia, this 16th day of November, in the year of our Lord 1972.

BEN W. FORTSON, JR.,
Secretary of State.

JIMMY CARTER,
Governor.

The VICE PRESIDENT. The Chair lays before the Senate the credentials of 33 Senators elected for 6-year terms

beginning January 3, 1973. All certificates, the Chair is advised, are in the form suggested by the Senate, except the ones from Delaware and Arkansas, which used State forms but contained all the requirements of the form suggested by the Senate.

If there be no objection, the reading of the 33 certificates will be waived and they will be printed in full in the RECORD.

There being no objection, the reading of the 33 certificates was waived and are printed in the RECORD as follows:

STATE OF SOUTH DAKOTA,
Executive Department.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, James Abourezk was duly chosen by the qualified electors of the State of South Dakota as Senator from said State to represent South Dakota in the Senate of the United States for a term of six years, beginning on the third day of January, nineteen hundred and seventy-three.

Witness: His excellency our Governor Richard F. Kneip, and our seal hereto affixed at Pierre, the Capital, this 6th day of December, in the year of our Lord nineteen hundred and seventy-two.

By the Governor:

RICHARD F. KNEIP,
Governor.

ALMA LARSON,
Secretary of State.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Honorable Howard H. Baker, Jr., was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the Term of six years, beginning on the 3d day of January, 1973.

Witness His excellency our Governor Winfield Dunn, and our seal hereto affixed at Nashville this 4th day of December, in the year of our Lord 1972.

WINFIELD DUNN,
Governor.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Dewey F. Bartlett was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our Governor David Hall, and our seal hereto affixed at Oklahoma City, Oklahoma this 21 day of December, in the year of our Lord 1972.

By the Governor of the State of Oklahoma:

DAVID HALL.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

Be it known. An election was held in the State of Delaware, on Tuesday, the 7th day of November, in the year of our Lord one thousand nine hundred and seventy-two that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State, in the Senate of the United States.

Whereas, The official certificates or returns of the said election, held in the several counties of the said State, in due manner made out, signed and executed, have been delivered to me according to the laws of the said State, by the Superior Court of the said counties; and having examined said returns, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, I have found Joseph R. Biden to be the person highest in vote, and therefore duly elected Senator of and for the said State in the Senate of the United States for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and seventy-three.

I, Russell W. Peterson, Governor, do, therefore, according to the form of the Act of the General Assembly of the said State and of the Act of Congress of the United States, in such case made and provided, declare the said Joseph R. Biden, Jr., the person highest in vote at the election aforesaid, and therefore duly and legally elected Senator of and for the said State of Delaware in the Senate of the United States, for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and seventy-three.

Given under my hand and the Great Seal of the said State, in obedience to the said Act of the General Assembly and of the said Act of Congress, at Dover, the twenty-first day of November in the year of our Lord one thousand nine hundred and seventy-two and in the year of the Independence of the United States of America the one hundred and ninety-seventh.

RUSSELL W. PETERSON,
Governor.
WALTER H. SIMPSON,
Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, nineteen hundred and seventy-two, Edward W. Brooke was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and seventy-three.

Witness: His Excellency our Governor, Francis W. Sargent, and our seal hereto affixed at Boston, this sixth day of December, in the year of our Lord nineteen hundred and seventy-two.

By the Governor:
FRANCIS W. SARGENT,
Governor.

STATE OF NEW JERSEY.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Clifford P. Case, was duly chosen by the Qualified electors of the State of New Jersey a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His Excellency our Acting Gov-

ernor Raymond H. Bateman, and our Seal hereto affixed at Trenton, this 5th day of December, in the year of our Lord 1972.

By the Acting Governor:
RAYMOND H. BATEMAN,
Acting Governor.

STATE OF IOWA.
Executive Department.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Richard Clark was duly chosen by the qualified electors of the State of Iowa a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Dated at Des Moines, Iowa on the 27th day of December 1972.

In testimony whereof, we have unto set our hands and caused to be affixed the Great Seal of the State of Iowa this 27th day of December, A.D. 1972.

ROBERT D. RAY,
Governor.

STATE OF NEBRASKA.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Carl T. Curtis was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 1973.

Witness: His excellency our Governor J. James Exon, and our seal hereto affixed at Lincoln, Nebraska this twelfth day of December, in the year of our Lord, 1972.

J. J. EXON,
Governor,

STATE OF NEW MEXICO,
EXECUTIVE OFFICE,
Santa Fe, N. Mex.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, 1972 Pete V. Domenici was duly chosen by the qualified electors of the State of New Mexico a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1973.

Witness: his excellency our Governor, Bruce King, and our seal hereto affixed at Santa Fe, this fifteenth day of December, in the year of our Lord 1972.

BRUCE KING,
Governor.

MISSISSIPPI EXECUTIVE DEPARTMENT,
Jackson.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, A.D., 1972, James O. Eastland was duly chosen by the qualified electors of the State of Mississippi a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our Governor William L. Waller, and our seal hereto affixed at Jackson, Mississippi, this 7th day of December, in the year of our Lord, 1972.

WILLIAM L. WALLER,
Governor.

By the Governor:
HEBER LADNER,
Secretary of State.

STATE OF MICHIGAN,
Executive Office.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Robert P. Griffin was duly

chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1973.

Witness: His excellency our Governor, William G. Milliken, and our seal hereto affixed at Lansing this first day of December, in the Year of Our Lord 1972.

WILLIAM G. MILLIKEN,
Governor.

By the Governor:
RICHARD H. _____,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, 1972, Clifford P. Hansen was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1973.

Witness: His excellency our governor Stanley K. Hathaway, and our seal hereto affixed at Cheyenne, Wyoming this twelfth day of December, in the year of our Lord 1972.

By the Governor:
STANLEY K. HATHAWAY,
Governor.

STATE OF COLORADO,
Executive Chambers.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, 1972, Floyd K. Haskell was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1973.

Witness: His excellency our Governor, John A. Love, and our seal hereto affixed at Denver, Colorado, this twelfth day of December, in the year of our Lord 1972.

By the Governor:
JOHN A. LOVE,
Governor.

Attest:
BYRON A. ANDERSON,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Mark O. Hatfield, was duly chosen by the qualified electors of the State of Oregon a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our Governor, Tom McCall, and our seal hereto affixed at Salem, Oregon, this 8th day of December, in the year of our Lord 1972.

By the Governor:
TOM MCCALL,
Governor.

STATE OF MAINE.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, 1972, William D. Hathaway of Auburn, Maine was duly chosen by the qualified electors of the State of Maine a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1973.

Witness: His excellency our governor Kenneth M. Curtis, and our seal hereto affixed at Augusta, Maine this thirteenth day of December, in the year of our Lord, 1972.

By the Governor:
KENNETH M. CURTIS,
Governor.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Jesse Helms was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our governor Robert W. Scott, and our seal hereto affixed at Raleigh this 13th day of December, in the year of our Lord 1972.

ROBERT W. SCOTT,
Governor.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Walter D. Huddleston, Elizabethtown, Kentucky, was duly chosen by the qualified electors of the State of Kentucky a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His Excellency our Governor Wendell H. Ford, and our seal hereto affixed at Frankfort, Kentucky, this 12th day of December, in the year of our Lord 1972.

By the Governor:

WENDELL H. FORD,
Governor.

STATE OF LOUISIANA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, nineteen hundred and seventy-two J. Bennett Johnston was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and seventy-three.

Witness: His Excellency, our Governor Edwin W. Edwards, and our seal hereto affixed, at Baton Rouge, this 15th day of December, in the year of our Lord, nineteen hundred and seventy-two.

By the Governor:

EDWIN EDWARDS,
Governor.

STATE OF IDAHO,
DEPARTMENT OF STATE.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the Seventh day November, 1972, James A. McClure was duly chosen by the qualified electors of the State of Idaho to be a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the Third day of January, 1973.

Witness: His excellency our Governor, Cecil D. Andrus, and our seal hereto affixed at Boise City, the Capitol of Idaho, this Eleventh day of December, in the year of our Lord, 1972.

By the Governor:

CECIL D. ANDRUS,
Governor.

STATE OF ARKANSAS,
EXECUTIVE DEPARTMENT.

To the HONORABLE PRESIDENT OF THE SENATE, WASHINGTON, D.C.:

This is to certify that in the General Election on the 7th day of November, 1972: For the United States Senate, Honorable John L. McClellan was duly chosen by the qualified electors of the State of Arkansas to represent the State of Arkansas, the vote being: Honorable John L. McClellan 386,398; Dr. Wayne Babbitt 248,238.

This official was elected for the term of six years beginning January, 1973.

In witness whereof I have hereunto set my

hand and caused the Great Seal of the State of Arkansas to be affixed this 5th day of December, 1972.

DALE BUMPERS,
Governor.

THE STATE OF NEW HAMPSHIRE,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, nineteen hundred and seventy-two Thomas J. McIntyre was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and seventy-three.

Witness: His Excellency, our Governor Walter Peterson, and our seal hereto affixed at Concord this twenty-ninth day of November, in the year of our Lord nineteen hundred and seventy-two.

By the Governor, with advice of the Council:

WALTER PETERSON,
Governor.

THE STATE OF MONTANA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, nineteen hundred seventy two, Lee Metcalf was duly chosen by the qualified electors of the State of Montana a Senator from this state to represent the State of Montana in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred seventy three.

Witness: His excellency our Governor Forrest H. Anderson and our seal hereto affixed at Helena, this twenty ninth day of November in the year of our Lord nineteen hundred seventy two.

FORREST H. ANDERSON,
Governor.

FRANK MURRAY,
Secretary of State.

STATE OF MINNESOTA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Walter F. Mondale was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our governor Wendell R. Anderson, and our seal hereto affixed at St. Paul, Minnesota this 19th. day of December, in the year of our Lord 1972.

By the Governor:

WENDELL R. ANDERSON,
Governor.

ARLEN I. ERDAHL,
Secretary of State.

STATE OF GEORGIA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Honorable Sam Nunn was duly chosen by the qualified electors of the State of Georgia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His Excellency our Governor, Jimmy Carter, and our Seal hereto affixed at the State Capitol in Atlanta, Georgia, this 16th day of November, in the year of our Lord 1972.

By the Governor:

JIMMY CARTER,
Governor.

BEN W. FORTSON, Jr.,
Secretary of State.

STATE OF KANSAS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, nineteen hundred seventy-two James B. Pearson was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred seventy-three.

Witness: The Honorable Robert B. Docking, our Governor, and our seal hereto affixed at Topeka, this fifth day of December, in the year of our Lord nineteen hundred seventy-two.

By the Governor:

ROBERT B. DOCKING,
Governor.

ELWILL M. SHANAHAN,
Secretary of State.

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS,
Executive Chamber.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Claiborne deB. Pell was duly chosen by the qualified electors of the State of Rhode Island a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our Governor Frank Licht, and our seal hereto affixed at Providence this 13th day of December, in the year of our Lord 1972.

By the Governor:

FRANK LICHT,
Governor.

STATE OF ILLINOIS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, nineteen hundred seventy two, Charles H. Percy was duly chosen by the qualified electors of the State of Illinois, a Senator from said State, to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred seventy three.

Witness: His Excellency our Governor Richard B. Ogilvie, and our seal hereto affixed at Springfield this thirtieth day of November, in the year of our Lord nineteen hundred seventy two.

By the Governor:

RICHARD B. OGILVIE,
Governor.

JOHN W. LEWIS,
Secretary of State.

STATE OF WEST VIRGINIA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, Jennings Randolph was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our Governor Arch A. Moore, Jr., and our seal hereto affixed at Charleston, West Virginia, this 27th day of December, in the year of our Lord 1972.

By the Governor:

ARCH A. MOORE, Jr.,
Governor.

COMMONWEALTH OF VIRGINIA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, 1972, William Lloyd Scott was duly chosen by the qualified electors of the

Commonwealth of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1973.

Witness: His excellency our Governor, Linwood Holton, and our seal hereto affixed at Richmond this seventh day of December, in the year of our Lord 1972.

LINWOOD HOLTON,
Governor.

STATE OF ALABAMA,
Montgomery, November 28, 1972.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1972, John Sparkman was duly chosen by the qualified electors of the State of Alabama as Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January 1973.

Witness: His Excellency our Governor, George C. Wallace, and our Seal hereto affixed this 28th day of November, in the year of our Lord 1972.

GEORGE C. WALLACE,
Governor.

MABEL G. AMOS,
Secretary of State.

STATE OF ALASKA.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, 1972, Ted Stevens was duly chosen by the qualified electors of the State of Alaska as a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1973.

Witness: His excellency our governor William A. Egan, and our seal hereto affixed at Juneau this 13th day of November, in the year of our Lord 1972.

By the Governor:

WILLIAM A. EGAN,
Governor.

Attest:

H. A. BOUCHER,
Lieutenant Governor.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the seventh day of November, 1972 Strom Thurmond was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1973.

Witness: His excellency our Governor John C. West, and our seal hereto affixed at Columbia, South Carolina, this eighteenth day of December, in the year of our Lord 1972.

By the Governor:

JOHN C. WEST,
Governor.

O. FRANK THORNTON,
Secretary of State.

STATE OF TEXAS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, nineteen hundred seventy-two, John G. Tower was duly chosen by the qualified electors of the State of Texas a Senator from said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred seventy-three.

Witness: His excellency our Governor of Texas, and our seal hereto affixed at Austin, Texas, this 24th day of November, in the year of our Lord nineteen hundred seventy-two.

By the Governor:

PRESTON SMITH,
Governor of Texas.
BOB BULLOCK,
Secretary of State.

ADMINISTRATION OF OATHS

The VICE PRESIDENT. If Senators to be sworn will now present themselves at the desk in groups of four as their names are called, in alphabetical order, the Chair will administer the oath of office.

The clerk will call the names.

The legislative clerk called the names of Mr. ABOUREZK, Mr. BAKER, Mr. BARTLETT, and Mr. BROOKE.

These Senators, escorted by Mr. McGOVERN, Mr. BROCK, Mr. BELLMON, and Mr. KENNEDY, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

The legislative clerk called the names of Mr. CASE, Mr. CLARK, Mr. CURTIS, and Mr. DOMENICI.

These Senators, escorted by Mr. WILLIAMS, Mr. HUGHES, Mr. HRUSKA, and Mr. MONTOYA, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

The legislative clerk called the names of Mr. EASTLAND, Mr. GRIFFIN, Mr. HANSEN, and Mr. HASKELL.

These Senators, escorted by Mr. STENNIS, Mr. HART, Mr. MCGEE, and Mr. DOMINICK, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

The legislative clerk called the names of Mr. HATFIELD, Mr. HATHAWAY, Mr. HELMS, and Mr. HUDDLESTON.

These Senators, escorted by Mr. PACKWOOD, Mr. MUSKIE, Mr. ERVIN, and Mr. COOK, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

The legislative clerk called the names of Mr. JOHNSTON, Mr. MCCLURE, Mr. McCLELLAN, and Mr. MCINTYRE.

These Senators, escorted by Mr. LONG, Mr. CHURCH, Mr. FULBRIGHT, and Mr. COTTON, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

The legislative clerk called the names of Mr. METCALF, Mr. MONDALE, Mr. NUNN, and Mr. PELL.

These Senators, escorted by Mr. MANSFIELD, Mr. HUMPHREY, Mr. TALMADGE, and Mr. PASTORE, respectively, advanced to

the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

The legislative clerk called the names of Mr. PERCY, Mr. RANDOLPH, Mr. SCOTT of Virginia, and Mr. SPARKMAN.

These Senators, escorted by Mr. STEVENSON, Mr. ROBERT C. BYRD, Mr. HARRY F. BYRD, JR., and Mr. ALLEN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

The legislative clerk called the names of Mr. STEVENS, Mr. THURMOND, and Mr. TOWER.

These Senators, escorted by Mr. GRAVEL, Mr. HOLLINGS, and Mr. BENTSEN, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

[Applause, Senators rising.]

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENT TO COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

The VICE PRESIDENT. The Chair, pursuant to Public Law 92-352, appoints the Senator from Montana (Mr. MANSFIELD) as a member of the Commission on the Organization of the Government for the Conduct of Foreign Policy, in lieu of the Senator from Virginia (Mr. SPONG).

APPOINTMENT TO BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The VICE PRESIDENT. The Chair, pursuant to the provisions of title 20, United States Code, section 42 and 43, appoints the Senator from Washington (Mr. JACKSON) as a member of the Board of Regents of the Smithsonian Institution, in lieu of the Senator from New Mexico (Mr. ANDERSON).

APPOINTMENTS TO JOINT COMMITTEE TO REVIEW OPERATION OF BUDGET CEILING

The VICE PRESIDENT. The Chair, pursuant to Public Law 92-599, appoints the following Senators to the Joint Committee To Review Operation of Budget Ceiling and To Recommend Procedures for Improving Congressional Control Over Budgetary Outlay and Receipt

Totals: the Senator from Louisiana (Mr. LONG), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Georgia (Mr. TALMADGE), the Senator from Indiana (Mr. HARTKE), the Senator from Utah (Mr. BENNETT), the Senator from Nebraska (Mr. CURTIS), the Senator from Arizona (Mr. FANNIN), the Senator from Arkansas (Mr. McCLELLAN), the Senator from Mississippi (Mr. STENNIS), the Senator from Rhode Island (Mr. PASTORE), the Senator from Nevada (Mr. BIBLE), the Senator from North Dakota (Mr. YOUNG), the Senator from Nebraska (Mr. HRUSKA), the Senator from New Hampshire (Mr. COTTON), the Senator from Wisconsin (Mr. PROXMIER), and the Senator from Delaware (Mr. ROTH).

These appointments are made on behalf of the President pro tempore.

APPOINTMENTS TO COMMISSION ON REVISION OF THE FEDERAL APPELLATE SYSTEM

The VICE PRESIDENT. Also on behalf of the President pro tempore, the Chair, pursuant to Public Law 92-489, appoints the following Senators as members of the Commission on Revision of the Federal Court Appellate System: the Senator from Arkansas (Mr. McCLELLAN), the Senator from North Dakota (Mr. BURDICK), the Senator from Nebraska (Mr. HRUSKA), and the Senator from Florida (Mr. GURNEY).

APPOINTMENT TO TECHNOLOGY ASSESSMENT BOARD

The VICE PRESIDENT. The Chair, on behalf of the President pro tempore, pursuant to Public Law 92-484, appoints the Senator from New Jersey (Mr. CASE) as a member the Technology Assessment Board, in lieu of the Senator from Colorado (Mr. Allott).

MEMORIAL SERVICE IN HONOR OF THE LATE PRESIDENT HARRY S. TRUMAN

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Republican leader and myself, I wish to make the following announcement:

The memorial service in honor of the late President Harry S. Truman will be held Friday, January 5, 1973, at 11 a.m. in the Washington National Cathedral.

Buses will depart, under escort, from the Senate steps of the Capitol at 10:15 a.m. and return to the Capitol immediately after the services. Those using private transportation are advised to enter the Cathedral grounds from Woodley Road and proceed to the south transept entrance.

Members and their wives are invited. Contact the Office of the Sergeant at Arms for tickets and transportation arrangements.

Members of the Senate delegation are scheduled to be seated in the Cathedral at 10:45 a.m.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in adjournment until the hour of 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS THIS WEEK

Mr. MANSFIELD. Mr. President, for the further information of the Senate, there will be no meeting on Friday, but on Saturday there will be. It is a mandatory meeting, because the two Houses will meet for the purpose of counting the electoral votes.

Mr. SCOTT of Pennsylvania. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. SCOTT of Pennsylvania. I take it that no bills may be introduced today, but I would assume that tomorrow bills may be introduced and resolutions submitted, and that speeches will be made tomorrow for Senators to enjoy, but none today. Is that correct?

Mr. MANSFIELD. That is correct. The regular workaday day will begin tomorrow. Today is a day of swearing in and the usual resolutions which will be presented shortly; but beginning tomorrow, what the distinguished Republican leader has said is correct.

Mr. SCOTT of Pennsylvania. In other words, swearing in today; swearing at later.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum for the purpose of having the roll called and validating the election of the new Senators and the retention of the old ones.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

	[No. 1 Leg.]	
Abourezk	Fannin	Montoya
Aiken	Fulbright	Moss
Allen	Goldwater	Muskie
Baker	Gravel	Nelson
Bartlett	Griffin	Nunn
Bayh	Gurney	Packwood
Beall	Hansen	Pastore
Bellmon	Hart	Pell
Bennett	Hartke	Percy
Bentsen	Haskell	Proxmire
Bible	Hatfield	Randolph
Brook	Hathaway	Ribicoff
Brooke	Helms	Roth
Buckley	Hollings	Saxbe
Burdick	Hruska	Schweiker
Byrd	Huddleston	Scott, Pa.
Harry F., Jr.	Hughes	Scott, Va.
Byrd, Robert C.	Humphrey	Sparkman
Cannon	Inouye	Stafford
Case	Jackson	Stennis
Chiles	Javits	Stevens
Church	Johnston	Stevenson
Clark	Kennedy	Symington
Cook	Long	Taft
Cotton	Mansfield	Talmadge
Cranston	Mathias	Thurmond
Curtis	McClellan	Tower
Dole	McClure	Tunney
Domenici	McGee	Weicker
Dominick	McGovern	Williams
Eagleton	McIntyre	Young
Eastland	Metcalf	
Ervin	Mondale	

Mr. ROBERT C. BYRD. I announce that the Senator from Washington (Mr. MAGNUSON) is necessarily absent.

Mr. GRIFFIN. I announce that the

Senator from Hawaii (Mr. FONG) and the Senator from Kansas (Mr. PEARSON) are necessarily absent.

The VICE PRESIDENT. A quorum is present.

LIST OF SENATORS BY STATES

Alabama.—John Sparkman and James B. Allen.

Alaska.—Ted Stevens and Mike Gravel.

Arizona.—Paul J. Fannin and Barry Goldwater.

Arkansas.—John L. McClellan and J. W. Fulbright.

California.—Alan Cranston and John V. Tunney.

Colorado.—Peter H. Dominick and Floyd K. Haskell.

Connecticut.—Abraham Ribicoff and Lowell P. Weicker, Jr.

Delaware.—William V. Roth, Jr., and Joseph R. Biden, Jr.

Florida.—Edward J. Gurney and Lawton Chiles.

Georgia.—Herman E. Talmadge and Sam Nunn.

Hawaii.—Hiram L. Fong and Daniel K. Inouye.

Idaho.—Frank Church and James A. McClure.

Illinois.—Charles H. Percy and Adlai E. Stevenson III.

Indiana.—Vance Hartke and Birch Bayh.

Iowa.—Harold E. Hughes and Dick Clark.

Kansas.—James B. Pearson and Robert Dole.

Kentucky.—Marlow W. Cook and Walter D. Huddleston.

Louisiana.—Russell B. Long and J. Bennett Johnston.

Maine.—Edmund S. Muskie and William D. Hathaway.

Maryland.—Charles McC. Mathias, Jr., and J. Glenn Beall, Jr.

Massachusetts.—Edward M. Kennedy and Edward W. Brooke.

Michigan.—Philip A. Hart and Robert P. Griffin.

Minnesota.—Walter F. Mondale and Hubert H. Humphrey.

Mississippi.—James O. Eastland and John C. Stennis.

Missouri.—Stuart Symington and Thomas F. Eagleton.

Montana.—Mike Mansfield and Lee Metcalf.

Nebraska.—Roman L. Hruska and Carl T. Curtis.

Nevada.—Alan Bible and Howard W. Cannon.

New Hampshire.—Norris Cotton and Thomas J. McIntyre.

New Jersey.—Clifford P. Case and Harrison A. Williams, Jr.

New Mexico.—Joseph M. Montoya and Pete V. Domenici.

New York.—Jacob K. Javits and James L. Buckley.

North Carolina.—Sam J. Ervin, Jr., and Jesse Helms.

North Dakota.—Milton R. Young and Quentin N. Burdick.

Ohio.—William B. Saxbe and Robert Taft, Jr.

Oklahoma.—Henry Bellmon and Dewey F. Bartlett.

Oregon.—Mark O. Hatfield and Robert W. Packwood.

Pennsylvania.—Hugh Scott and Richard S. Schweiker.

Rhode Island.—John O. Pastore and Claiborne Pell.

South Carolina.—Strom Thurmond and Ernest F. Hollings.

South Dakota.—George McGovern and James Abourezk.

Tennessee.—Howard H. Baker, Jr., and Bill Brock.

Texas.—John G. Tower and Lloyd Bentsen.

Utah.—Wallace F. Bennett and Frank E. Moss.

Vermont.—George D. Aiken and Robert T. Stafford.

Virginia.—Harry F. Byrd, Jr., and William Lloyd Scott.

Washington.—Warren G. Magnuson and Henry M. Jackson.

West Virginia.—Jennings Randolph and Robert C. Byrd.

Wisconsin.—William Proxmire and Gaylord Nelson.

Wyoming.—Gale W. McGee and Clifford P. Hansen.

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD submitted the following resolution (S. Res. 1), which was read, considered by unanimous consent, and agreed to, as follows:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

THE VICE PRESIDENT. The Chair appoints the Senator from Montana (Mr. MANSFIELD) and the Senator from Pennsylvania (Mr. SCOTT) as members of the committee on the part of the Senate to join the members of the committee on the part of the House to consult with the President and notify him that a quorum of each House is present.

NOTIFICATION TO THE HOUSE

Mr. SCOTT of Pennsylvania submitted the following resolution (S. Res. 2), which was read, considered by unanimous consent, and agreed to, as follows:

S. RES. 2

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOOR OF DAILY MEETING

Mr. ROBERT C. BYRD submitted the following resolution (S. Res. 3), which was read, considered by unanimous consent, and agreed to, as follows:

S. RES. 3

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

COUNT OF ELECTORAL VOTES

Mr. CANNON submitted the following concurrent resolution (S. Con. Res. 1),

which was read, considered by unanimous consent, and agreed to, as follows:

S. CON. RES. 1

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall meet in the Hall of the House of Representatives on Saturday, the 6th day of January 1973, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter "A"; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of votes, be entered on the Journals of the two Houses.

THE VICE PRESIDENT. In accordance with the provisions of Senate Concurrent Resolution No. 1, the Chair appoints the Senator from Kentucky (Mr. COOK) and the Senator from Nevada (Mr. CANNON) as the tellers on the part of the Senate to count the electoral votes for President and Vice President of the United States on January 6, 1973.

CERTIFICATION OF ELECTORS FOR PRESIDENT AND VICE PRESIDENT

THE VICE PRESIDENT. The Chair lays before the Senate a number of communications from the Administrator of General Services Administration, transmitting, pursuant to law, certified copies of the final ascertainment of the electors for President and Vice President from the several States and the District of Columbia, which, with the accompanying papers, are ordered to lie on the table.

ELECTION OF PRESIDENT PRO TEMPORE

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

THE VICE PRESIDENT. The clerk will state the resolution.

The legislative clerk read the resolution as follows:

S. RES. 4

Resolved, That Honorable JAMES O. EASTLAND, a Senator from the State of Mississippi, be, and he is hereby, elected President of the Senate pro tempore, to hold office during the pleasure of the Senate, in accordance with the resolution of the Senate adopted on the 12th day of March 1890 on the subject.

Without objection, the Senate proceeded to consider the resolution.

Mr. SCOTT of Pennsylvania. Mr. President, in a spirit of unwarranted optimism and conscious euphoria, I submit an amendment and ask for its immediate consideration.

THE VICE PRESIDENT. The amendment will be stated.

The legislative clerk read as follows:

In the resolution strike the name of Honorable JAMES O. EASTLAND, a Senator for the State of Mississippi and insert in lieu thereof the name of Honorable GEORGE D. AIKEN, a Senator from the State of Vermont.

THE VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Pennsylvania (putting the question).

The amendment was rejected.

THE VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 4) was agreed to.

ADMINISTRATION OF OATH TO PRESIDENT PRO TEMPORE

THE VICE PRESIDENT. Pursuant to the provisions of Senate Resolution 4, which has just been agreed to, the Chair appoints Mr. AIKEN as a committee of one to escort the President pro tempore to the rostrum for the purpose of taking the oath of office.

Mr. EASTLAND, escorted by Mr. AIKEN, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

CONSIDERATION OF RESOLUTIONS

Mr. MANSFIELD. Mr. President, I send to the desk four resolutions and ask unanimous consent that they be considered in sequence immediately.

THE VICE PRESIDENT. Without objection, it is so ordered.

NOTIFICATION TO THE PRESIDENT OF THE ELECTION OF A PRESIDENT PRO TEMPORE

THE VICE PRESIDENT. The first resolution will be stated.

The legislative clerk read as follows:

S. RES. 5

Resolved, That the President of the United States be notified of the election of Honorable JAMES O. EASTLAND, a Senator from the State of Mississippi, as President of the Senate pro tempore.

The Senate proceeded to consider the resolution.

THE VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 5) was agreed to.

NOTIFICATION TO THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

THE VICE PRESIDENT. The next resolution will be stated.

The legislative clerk read as follows:

S. RES. 6

Resolved, That the House of Representatives be notified of the election of Honorable

JAMES O. EASTLAND, a Senator from the State of Mississippi, as President of the Senate pro tempore.

The Senate proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 6) was agreed to.

AUTHORIZATION FOR SENATOR METCALF TO SERVE AS ACTING PRESIDENT PRO TEMPORE

The VICE PRESIDENT. The third resolution will be stated.

The legislative clerk read as follows:

S. RES. 7

Resolved, That, notwithstanding the provisions of paragraph 3 of rule I of the Standing Rules of the Senate, the Senator from Montana (Mr. METCALF) be, and is hereby, authorized to perform the duties of the Chair as Acting President pro tempore until otherwise ordered by the Senate.

The Senate proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution (S. Res. 7) was agreed to.

AUTHORIZATION FOR ADMINISTRATION OF OATH OF OFFICE TO SENATOR-ELECT BIDEN, JR., OF DELAWARE

The VICE PRESIDENT. The next resolution will be stated.

The legislative clerk read the resolution, which the Senate proceeded to consider.

The preamble was agreed to.

The resolution was agreed to.

The resolution (S. Res. 8) with its preamble, reads as follows:

S. RES. 8

Whereas Joseph R. Biden, Jr., a Senator elect from the State of Delaware, is temporarily unable, by reason of tragedy in his family, to appear in person to take the oath required by law as a Member of the Senate; and

Whereas there is no contest or question as to his election: Now therefore be it

Resolved, That the Secretary of the Senate be, and he is hereby, authorized to administer the oath of office to the said Joseph R. Biden Jr., and that the said oath, when administered as herein authorized, shall be accepted and received by the Senate as the oath of office of the said Joseph R. Biden Jr.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, to repeat once again, in accordance with the usual practice, the Senate concurring, no morning business will be transacted today. At the next meeting of the Senate, which will be tomorrow, the Senate will proceed to transact its business as usual, since the President will not be sending his state of the Union message to Congress until after the inauguration.

Mr. HART. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, I yield.

Mr. HART. Mr. President, it has been at this point, in, I believe the last eight Congresses, that reservations have been

voiced of an effort to be made to reserve the right to modify rule XXII.

For the benefit of the Senate leadership and my colleagues' information, I rise to announce a renewed effort to achieve reform of rule XXII. Once again, I am proud to join the senior Senator from New York (Mr. JAVITS), who has filled this field with patient persistence for many years.

We both remain convinced that a procedure permitting a majority of Senators to act on a measure after reasonable debate would well serve this body, and the American people. We remain committed to reform of rule XXII.

Nonetheless, we realize that several Senators who had supported changing rule XXII have now expressed second thoughts about the wisdom of that effort. Some Members have pointed out that the classic filibusters often exhausted months of the Senate calendar with extensive repetition and resort to wholly extraneous matters. They ask whether recent events suggest a greater threat from the other end of the legislative spectrum: the danger of momentous legislation being rammed through the Senate without barely adequate debate—in some cases even though there has been scant if any committee review for the benefit of the full Senate.

Others with new reservations about easing the cloture test may feel that its reform is still a desirable goal at some point, but that the accelerating imbalance of powers between the executive and legislative branches of the past decade makes it unwise to change rule XXII until that imbalance is corrected.

We are aware of these concerns and their genesis. We feel it may prove useful to give them a thorough airing in the Committee on Rules and Administration, which at this time will be considering other Senate reforms, before we seek to effect reform in this Congress. This year, the Senator from New York and I will offer a proposal designed to meet these concerns, consistent with the ultimate principle of Senate action by majority rule. Briefly, it would provide a substantial period of debate before cloture could be invoked by less than the presently requested two-thirds margin. At that point, the requirement would be eased to a three-fifths requirement, and after an additional period of debate, cloture could be obtained by majority vote. As my colleagues know this is not a brand-new concept. Similar proposals for a phased reduction in the cloture test have been made in the past by some of this body's most thoughtful Members. We feel the merits of such an approach are particularly apt now in light of the Congress I have mentioned.

We shall introduce our proposal next week, at which time we shall urge the continued desirability of changing rule XXII. But while some previous supporters of this reform wish to review the bidding, so to speak, we are prepared to ask for its orderly referral to the Rules Committee for hearings and a report, rather than presenting it for direct floor action as part of the organizational business for this new session.

In addition, it is our hope that the

committee can hold hearings on rule XXII in the context of other proposed Senate reforms, so that all of us will have a clearer idea of their interrelation.

For the present, then, I wish to inform our colleagues of our intentions to offer this proposal, of our decision not to raise it for consideration at this time, and of our continued conviction and determination to attempt reform of rule XXII.

The Senator from New York and I continue to believe that modification of that rule is in the best interests of the Senate and the country.

Mr. JAVITS. Mr. President, I thank my colleague, and pay tribute to his own perseverance in this very critical matter, which substitutes for the Constitution a requirement that two-thirds of the Senate constitutes a majority before legislation can be passed.

Mr. President, I think we owe an explanation to the Senate and the country as to why we take this action. On two separate occasions, this issue has been raised in a very important way, and has had extended debate, including debate before the Vice President now presiding over the Senate. We have maintained the constitutional point that as of right, under the Constitution, we have the right to seek an amendment to the rules at the beginning of the session by a simple majority of the Senate. The Senate has not sustained that view. Indeed, on two occasions the Senate has acted the other way.

Now, succeeding generations to ours have an absolute right to persevere in that constitutional proposition, and they may have a Senate which will sustain them. The Senator from Michigan (Mr. HART) and I feel that that is a barren field right now. Therefore, we are seeking to go the legislative route for the purpose of changing rule XXII within the rules of the Senate by contending for the issue on the basis of its merits, recognizing that we face a reality, not a theory, and that we have a better chance pursuing it in a statutory way.

Mr. President, we believe that we would be helping by thorough and early hearings. It is my understanding that the other Members may feel that the matter should go to the calendar right away. The opportunity will, of course, be afforded for that procedure, and Senator HART and I certainly would not do anything to stop it, even if we could. But we had thought, in our original idea, and we still have that idea, that reference to a committee which could give thorough consideration to the rule in the light of the history and what we face today would be the most conducive to a constructive change, considering the realities which I have described.

So, Mr. President, I shall join with the distinguished Senator from Michigan in submitting such a resolution at the earliest possible time. I might say to the Senate that we are thinking in terms of a three-fifths cloture after 2 weeks of debate and a constitutional majority at any time after 1 month of debate. This is subject to change, but it is some indication to the Senate of our thinking.

Mr. GRIFFIN. Mr. President, with deference to my colleague, I want to indicate that I have been among those who

have consistently voted for reform of rule XXII to allow debate to be brought to an end with a three-fifths vote instead of a two-thirds vote. I believe the Senate should consider this question at the outset of the session. Without regard to the constitutional issue, I think the rules of the Senate ought to be changed, and because I believe that, I wonder if my senior colleague from Michigan can indicate, when does he expect the Senator from New York to introduce such a resolution?

I shall be inclined to have that go to the calendar rather than the committee, because I think that the merits and arguments on this subject are well known. It would seem to me that it should go to the calendar or be brought before the Senate as rapidly as possible this session. Perhaps the Senator from Michigan can give me some indication.

Mr. HART. Mr. President, as the Senator from New York indicated, we anticipate producing a resolution within a matter of a very few days, but, having been advised by the Senator from Michigan of his own tentative feelings at least, I am sure the Senator from New York and I will make certain prior to the day of production to advise the Senator of our intention, in order to permit him, if he should feel then as he does now, to direct the resolution accordingly.

Mr. GRIFFIN. I appreciate the statement of the Senator. Of course, no other Senator is precluded from submitting a resolution and asking for its immediate consideration, in which event it could be put on the calendar.

Mr. JAVITS. Nor, if the Senator will yield, is the Senator prohibited or barred from doing the same with our resolution.

As a matter of fact, I hope we can operate with one resolution. If the Senator wishes to refer it to the calendar, he certainly can effectuate that.

SENATE RESOLUTION 9—SUBMISSION OF A RESOLUTION TO ESTABLISH A SPECIAL COMMITTEE ON THE TERMINATION OF THE NATIONAL EMERGENCY

(Referred to the Committee on Foreign Relations.)

Mr. CHURCH (for himself and Mr. MATHIAS) submitted the following resolution:

S. RES. 9

Whereas the existence of the state of national emergency proclaimed by the President on December 16, 1950, is directly related to the conduct of United States foreign policy and our national security: Now, therefore, be it

Resolved, That (a) there is established a special committee of the Senate to be known as the Special Committee on the Termination of the National Emergency (hereinafter referred to as the "special committee").

(b) The special committee shall be composed of eight Members of the Senate equally divided between the majority and minority parties to be appointed by the President of the Senate, four of whom shall be members of the Committee on Foreign Relations.

(c) The special committee shall select two co-chairmen from among its members, one from the majority party and one from the minority party. A majority of the members of the special committee shall constitute a quorum thereof for the transaction of business, except that the special committee may

fix a lesser number as a quorum for the purpose of taking testimony. Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee.

Sec. 2. It shall be the function of the special committee to conduct a study and investigation with respect to the matter of terminating the national emergency proclaimed by the President of the United States on December 16, 1950, and announced in Presidential Proclamation Numbered 2914, dated the same date. In carrying out such study and investigation the special committee shall:

(1) consult and confer with the President and his advisers;

(2) consider the problems which may arise as the result of terminating such national emergency; and

(3) consider what administrative or legislative actions might be necessary or desirable as the result of terminating such national emergency, including consideration of the desirability and consequences of terminating special legislative powers that were conferred on the President and other officers, boards, and commissions as the result of the President proclaiming a national emergency.

Sec. 3. (a) For the purposes of this resolution, the special committee is authorized in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, (3) to hold hearings, (4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (5) to require, by subpoena or otherwise the attendance of witnesses and the production of correspondence, books, papers, and documents, (6) to take depositions and other testimony, (7) to procure the service of individual consultants or organizations thereof, in accordance with the provisions of section 202(1) of the Legislative Reorganization Act of 1946, as amended, and (8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The co-chairmen of the special committee shall preside over meetings of the special committee, except that (1) in the absence of one of the co-chairmen, the other co-chairman may preside, and (2) in the absence of both co-chairmen, any other member of the special committee designated by both co-chairmen may preside.

(c) Either co-chairman of the special committee or any member thereof may administer oaths to witnesses.

(d) Subpenas authorized by the special committee may be issued over the signature of either co-chairman, or any other member designated by the co-chairman, and may be served by any person designated by the co-chairman or member signing the subpoena.

Sec. 4. For the period from January 3, 1973, through February 28, 1974, the expenses of the special committee under this resolution shall not exceed \$175,000, of which amount not to exceed \$25,000 shall be available for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(1) of the Legislative Reorganization Act of 1946, as amended.

Sec. 5. The special committee shall make a final report of its findings, with respect to such period together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1974. The special committee may also submit to the Senate such interim reports as it considers appropriate. Upon submission of its final report, the special committee shall cease to exist.

Sec. 6. Expenses of the special committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers

approved by the two co-chairmen of the special committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of October 18, 1972, the Secretary of the Senate, on October 18, 1972, received the following message from the House of Representatives:

That, pursuant to the provisions of section 1 of Public Law 84-689, the Speaker had appointed Mr. FINDLEY as a member of the U.S. group of the North Atlantic Assembly, vice Mr. ARENDS, excused.

That the House had passed, without amendment, the bill (S. 3822) authorizing the city of Clinton Bridge Commission to convey its bridge structures and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa.

That the House had receded from its disagreement to the amendment of the Senate numbered 1 to the amendment of the House to the bill (S. 2280) to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended to implement the Convention for the Suppression of Unlawful Seizure of Aircraft and to amend title XI of such act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft and to authorize the Secretary of Transportation to revoke the operating authority of foreign air carriers under certain circumstances, and concurred therein; and that the House disagreed to the amendment to the Senate numbered 2 to the amendment of the House to the bill.

STANDING ORDER FOR RECOGNITION OF THE MAJORITY AND MINORITY LEADERS EACH DAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, during the remainder of this session, in accordance with the procedures followed in the 92d Congress, on each day, immediately following the prayer, the majority and minority leaders be recognized for not to exceed 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. I ask unanimous consent that tomorrow, following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business for not to exceed 2 hours, with statements therein limited to 15 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW UNTIL SATURDAY, JANUARY 6, 1973

Mr. ROBERT C. BYRD. I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock meridian on Saturday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF JOINT COMMITTEE ON NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD. Mr. President, the distinguished Republican leader, the Senator from Pennsylvania (Mr. SCOTT), and I report, from the committee ap-

pointed to join a similar committee from the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and is ready to proceed to business, that the President has notified us that he proposes to report to the Congress on the state of the Union at an appropriate time.

Mr. SCOTT of Pennsylvania. Mr. President, if the distinguished majority leader will yield, I merely join in the report and express the hope that the President's nominations to which reference was made in the telephone conversation can be acted upon as soon as we have a committee structure and, hopefully, before Inauguration Day, in order that these appointees may be prepared and enabled to serve.

ORDER FOR RECOGNITION OF SENATORS JAVITS AND HARRY F. BYRD, JR., TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, on tomor-

row, immediately following the recognition of the two leaders under the standing order, the distinguished Senator from New York (Mr. JAVITS) be recognized for not to exceed 15 minutes; and that he then be followed by the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.) for not to exceed 15 minutes; and that then, at the conclusion of his remarks, the period for the transaction of routine morning business ensue.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to, and, at 1:09 p.m., the Senate adjourned until tomorrow, Thursday, January 4, 1973, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES—Wednesday, January 3, 1973

This being the day fixed by the 20th amendment of the Constitution for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the 93d Congress met in their Hall, and at 12 o'clock noon were called to order by the Clerk of the House of Representatives, Hon. W. Pat Jennings.

The Chaplain, Rev. Edward G. Latch, D.D., prefaced his prayer with these words of Scripture:

Be strong and of good courage; be not afraid, neither be thou dismayed; for the Lord thy God is with thee whithersoever thou goest.—Joshua 1: 9.

Eternal God and Father of us all, make us aware of Thy presence as we prepare ourselves for a new year together in the service of our beloved country. Bless these Representatives of our people with Thy most gracious favor and so move within their hearts that they may look to Thee for guidance and from Thee receive wisdom to walk in Thy ways, strength to stand steadfastly for the common good, and confidence to labor courageously for peace, justice, and freedom in our world. Support them all the day long as they face the responsibilities entrusted to them.

Before Thee we remember with affection and with sorrow HALE BOGGS, Frank Bow, NICK BEGICH, GEORGE COLLINS, and Harry S Truman. May these beloved colleagues and our former President find favor in Thy sight and receive the reward of work well done for our Republic. Comfort their families with the strength of Thy spirit.

Now let us unite in praying together:

Our Father, who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom,

and the power, and the glory, forever. Amen.

The CLERK. Representatives-elect, this is the day fixed by the Constitution for the meeting of the 93d Congress, and as the law directs, the Clerk of the House has prepared the official roll of Representatives-elect. Certificates of election covering the 435 seats in the 93d Congress have been received by the Clerk of the House of Representatives of the 92d Congress, and the names of those persons whose credentials show that they were regularly elected as Representatives in accordance with the laws of their respective States or of the United States will be called. As the roll is called, following the alphabetical order of States, beginning with the State of Alabama, Representatives-elect will please answer to their names to determine whether a quorum is present.

The reading clerk will call the roll.

The Clerk called the roll by States and the following Representatives-elect answered to their names:

[Roll No. 1]

ALABAMA		
Edwards, Jack	Bevill	Buchanan
Dickinson	Jones	Flowers
Nichols	Robert E.	
ALASKA		
(Vacant)		
ARIZONA		
Rhodes	Steiger, Sam	Conlan
Udall		
ARKANSAS		
Alexander	Hammer-	
Mills,	schmidt	
Wilbur D.	Thornton	
CALIFORNIA		
Clausen,	Talcott	Clawson, Del
Don H.	Teague,	Rousselot
Johnson,	Charles M.	Wiggins
Harold T.	Waldie	Rees
Moss	McFall	Goldwater*
Leggett	Sisk	Bell
Burton	McCloskey	Danielson
Mailliard	Mathias	Roybal
DeUms	Holifield	Wilson,
Stark	Moorhead,	Charles H.
Edwards, Don	Carlos J.	Hosmer
Gubser	Hawkins	Pettis
Ryan	Corman	Hanna
ANDERSON, Glenn M.		
KETCHUM		
BURKE, Yvonne B.		
SCHROEDER		
BROTZMAN		
EVANS, Frank E.		
COTTER		
STEELE		
BROWN, George E., Jr.		
HINSHAW		
WILSON, Bob		
VAN DEERLIN		
COLORADO		
JOHNSON, James P.		
ARMSTRONG		
CONNECTICUT		
GIALMO		
MCKINNEY		
SARASIN		
GRASSO		
DELAWARE		
DU PONT (at large)		
FLORIDA		
SIKES		
FUQUA		
BENNETT		
CHAPPELL		
GUNTER		
YOUNG, C. W.		
GIBBONS		
GEOGRAPHIA		
GINN		
MATHIS		
BRINKLEY		
BLACKBURN		
HAWAII		
MATSUNAGA		
MINK		
IDAHO		
SYMMS		
HANSEN		
ILLINOIS		
METCALFE		
MURPHY,		
MORGAN F.		
HANRAHAN		
DERWINSKI		
KLUCZYNSKI		
COLLIER		
ROSTENKOWSKI		
YATES		
INDIANA		
MADDEN		
LANDGREBE		
BRADEMAS		
ROUSH		
IOWA		
MEZVINSKY		
CULVER		
GROSS		
SMITH, Neal		
KANSAS		
SEBELLUS		
ROY		
WINN		
SHRIVER		
KENTUCKY		
STUBBLEFIELD		
NATCHER		
MAZZOLI		
SNYDER		
CARTER		
BRECKINRIDGE		